

Patent
Serial No. 10/518,252

Amendment in Reply to Office Action of March 29, 2006

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Office Action dated March 29, 2006. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-13 were pending in the Application. Claims 14-16 are added by this amendment. Claims 1, 7 and 14 are independent claims. By means of the present amendment, claims 1-13 have been amended for better conformance to U.S. practice, such as beginning dependent claims with "the ...". Claims 1-13 were not amended in this way to address issues of patentability and Applicant respectfully reserves all rights under the Doctrine of Equivalents. Applicant furthermore reserves the right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or continuing applications.

In the Office Action, Claims 1-4, 6-11 and 13 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by Japanese Patent Publication No. JP 06-118914 to Katsutoshi ("Katsutoshi"). Claims 5 and 12 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Katsutoshi in view of U.S. Patent No. 6,020,886 to Jacober ("Jacoher").

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Katsutoshi shows a system to provide an automatic demonstration device which eliminates the need for a program dedicated to demonstration. A program which provides the original function of the device is stored in the ROM 12 and reference data and demonstration data are stored on the external medium 19. The reference data and demonstration data are present on the same medium, so the automatic demonstration is enabled with all external media 19 and even when the data on the external medium 19 are revised (see, Katsutoshi, FIGs. 1 and 2 and the abstract).

It is respectfully submitted that the data carrier of Claim 1 is not anticipated or made obvious by the teachings of Katsutoshi. For example, Katsutoshi does not disclose or suggest, a data carrier that amongst other patentable elements, comprises (illustrative emphasis provided) "demonstration control data configured to control a demonstration of an inherent function of a playback device wherein the inherent function includes use of an external data network regardless of whether the external data network is currently available" as required by Claim 1, and as substantially required by Claim 7. Jacober is cited for showing a script which does not cure this deficiency in Katsutoshi.

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Based on the foregoing, the Applicant respectfully submits that independent Claims 1 and 7 are patentable over Katsutoshi and notice to this effect is earnestly solicited. Claims 2-6 and 8-14 respectively depend from one of Claims 1 and 7 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of said claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, it is respectfully submitted that the data carrier of Claim 14 is not anticipated or made obvious by the teachings of Katsutoshi. For example, Katsutoshi does not disclose or suggest, a data carrier that amongst other patentable elements, comprises (illustrative emphasis provided) "demonstration control data configured to control a demonstration of an inherent function of a playback device wherein the inherent function includes interaction with a user" as required by Claim 14.

Based on the foregoing, the Applicant respectfully submits that independent Claim 14 is patentable over Katsutoshi and notice to this effect is earnestly solicited. Claim 15 depends from Claim 14 and accordingly is allowable for at least this reason as well as for the separately patentable elements contained in the claim.

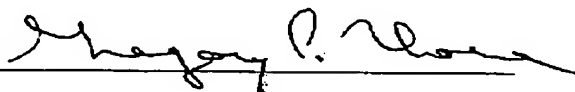
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Accordingly, separate consideration of the dependent claim is respectfully requested.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicant has made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

By 

Gregory L. Thorne, Reg. 39,398
Attorney for Applicant(s)
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THORNE & HALAJIAN, LLP
Applied Technology Center
111 West Main Street
Bay Shore, NY 11706
Tel: (631) 665-5139
Fax: (631) 665-5101